

# HOUSE BILL No. 1493

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** None (noncode).

**Synopsis:** Indiana science advisory panel. Establishes the Indiana science advisory panel.

**Effective:** Upon passage.

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January 11, 2001, read first time and referred to Committee on Education.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

## HOUSE BILL No. 1493

A BILL FOR AN ACT concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this**  
2       **SECTION, "panel" refers to the Indiana science advisory panel**  
3       **established by subsection (b).**

4       **(b) The Indiana science advisory panel is established.**

5       **(c) The panel consists of one (1) director and the following**  
6       **members:**

7               **(1) One (1) person with a Ph.D. in physical science.**

8               **(2) One (1) person with a Ph.D. in biological science.**

9               **(3) One (1) person with:**

10               **(A) a Ph.D. in epidemiology;**

11               **(B) a Ph.D. in toxicology; or**

12               **(C) an M.D. and a working knowledge of toxicology.**

13               **(4) One (1) person with a Ph.D. in mathematics.**

14               **(5) One (1) person with a Ph.D. in engineering.**

15       **The director must have a Ph.D. in one (1) of the fields listed in**  
16       **subdivisions (1) through (5).**

17       **(d) The director and the members must be Indiana residents.**

18       **(e) The lieutenant governor shall:**



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- 1 (1) appoint the director; and
- 2 (2) upon consultation with the director, appoint the members
- 3 of the panel.
- 4 (f) The director and the members serve at the pleasure of the
- 5 lieutenant governor.
- 6 (g) The term of office of the director and the members is two (2)
- 7 years.
- 8 (h) If a vacancy occurs on the panel, the lieutenant governor
- 9 shall appoint a member to:
- 10 (1) fill the vacancy for the remainder of the unexpired term;
- 11 and
- 12 (2) serve at the pleasure of the lieutenant governor.
- 13 (i) The lieutenant governor shall provide administrative support
- 14 to the panel.
- 15 (j) The members are:
- 16 (1) not entitled to the minimum salary per diem provided by
- 17 IC 4-10-11-2.1(b); and
- 18 (2) entitled to reimbursement for traveling expenses as
- 19 provided under IC 4-13-1-4 and other expenses actually
- 20 incurred in connection with the duties of the director or
- 21 member as provided in the state policies and procedures
- 22 established by the Indiana department of administration and
- 23 approved by the budget agency.
- 24 (k) The director:
- 25 (1) is a part-time employee of the lieutenant governor;
- 26 (2) shall act as the executive and operating officer of the
- 27 panel; and
- 28 (3) shall perform all other duties and functions assigned by
- 29 the panel or by law.
- 30 (l) The meetings of the panel shall be open to the public under
- 31 IC 5-14-1.5. The director shall:
- 32 (1) preside at meetings;
- 33 (2) call meetings as the director deems necessary; and
- 34 (3) cause notice of meetings to be given in accordance with
- 35 IC 5-14-1.5.
- 36 (m) The director shall:
- 37 (1) afford any person attending a public meeting of the panel
- 38 an opportunity to comment through oral or written
- 39 presentation;
- 40 (2) retain all written comments submitted to the panel;
- 41 (3) make all written comments submitted to the panel
- 42 available for public inspection; and

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(4) maintain a record of the meetings of the panel.

(n) The panel shall do the following:

(1) Except as provided in subsection (o), answer in writing all questions pertaining to science posed to the panel in writing for the purpose of determining public policy by any state:

- (A) board;
- (B) commission;
- (C) agency; or
- (D) department.

(2) Adopt rules under IC 4-22-2 for the implementation of this SECTION.

(o) The director may determine whether a question pertaining to science as described in subsection (n):

- (1) requires the attention and deliberation of the members; or
- (2) may be answered by the director without consultation with the members.

(p) Before July 1 of each year, the director shall prepare and submit to:

- (1) the governor;
- (2) the lieutenant governor; and
- (3) the legislative council;

a report on the panel's operations and activities.

(q) Except as provided in subsection (s), the panel shall make any:

- (1) answer issued to a question pertaining to science;
- (2) study;
- (3) report;
- (4) assessment; or
- (5) analysis;

prepared by the director or the panel under this SECTION available to the public.

(r) The panel may provide any document described in subsection (q):

- (1) free of charge; or
- (2) at a reduced charge;

to a person that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(s) The panel shall keep confidential information provided to the panel by an entity that submits to the panel a question pertaining to science if the entity posing the question:

- (1) requests in writing that the panel keep the information confidential; and

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1           **(2) provides to the panel in writing an explanation of the**  
2           **confidentiality requirement under the law that applies to the**  
3           **entity.**  
4           **(t) This SECTION expires July 1, 2003.**  
5           **SECTION 2. An emergency is declared for this act.**

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